

BINGHAM McCUTCHEN LLP
 FRANK KENNAMER (SBN 157844)
 NEHA SHAH NISSEN (SBN 190848)
 TROY SAURO (SBN 224097)
 RACHEL SOMMOVILLA (SBN 231529)
 Three Embarcadero Center
 San Francisco, California 94111-4067
 Telephone: 415.393.2000
 Facsimile: 415.393.2286

Attorneys for WAMM Plaintiffs

GERALD UELMEN (SBN 39909)
 Santa Clara University School of Law
 500 El Camino Real
 Santa Clara, California 95053
 Telephone: 408.554.5729
 Facsimile: 408.554.4426

Attorney for County of Santa Cruz
 and WAMM Plaintiffs

Additional Counsel Listed on Signature Page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

COUNTY OF SANTA CRUZ, CALIFORNIA;
 CITY OF SANTA CRUZ, CALIFORNIA;
 VALERIE CORRAL; ELADIO V. ACOSTA;
 JENNIFER LEE HENTZ; HAROLD F.
 MARGOLIN; LEVI CASTRO; DOROTHY
 GIBBS; JAMES DANIEL BAEHR; MICHAEL
 CHESLOSKY and WO/MEN'S ALLIANCE
 FOR MEDICAL MARIJUANA,

Plaintiffs,

v.

ALBERTO R. GONZALES, Attorney General of
 the United States; KAREN P. TANDY,
 Administrator of the Drug Enforcement
 Administration; JOHN P. WALTERS, Director of
 the Office of National Drug Control Policy; and
 30 UNKNOWN DRUG ENFORCEMENT
 ADMINISTRATION AGENTS,

Defendants.

Case No.: 03-CV-1802 JF

**STIPULATION AND [PROPOSED]
 ORDER TO RESCHEDULE CASE
 MANAGEMENT CONFERENCE**

Date: October 13, 2006
 Time: 10:30 a.m.
 Place: Courtroom 3, Fifth Floor
 Judge: Honorable Jeremy Fogel

1 Plaintiffs and Defendants through their counsel of record stipulate to reschedule the Case
2 Management Conference set for October 13, 2006 until after the disposition of Defendants'
3 motion to dismiss Plaintiffs' First, Second, Third, Fourth and Sixth Causes of Action.

4 1. On June 23, 2006 this court heard oral argument on Defendants' motion to
5 dismiss the Fifth Cause of Action in Plaintiffs' First Amended Complaint as well as Defendants'
6 motion to dismiss the First, Second, Third, Fourth and Sixth Causes of Action in Plaintiffs' First
7 Amended Complaint. During the hearing, the Court indicated that it was inclined to withhold a
8 ruling on Defendants' motion to dismiss Plaintiffs' First, Second, Third, Fourth, and Sixth
9 Causes of Action pending a ruling by the United States Court of Appeals for the Ninth Circuit in
10 *Raich v. Gonzales*, No. 03-15481, which was argued on March 27, 2006.

11 2. On July 18, 2006, this court granted in part and denied in part Defendants' motion
12 to dismiss Plaintiffs' Fifth Cause of Action.

13 3. The parties are currently awaiting disposition of Defendants' motion to dismiss
14 the First, Second, Third, Fourth and Sixth Causes of Action. The Parties request that the Case
15 Management Conference currently scheduled for October 13, 2006 be continued until after the
16 Court has issued its order with respect to Plaintiffs' remaining claims.

1
2 DATED: September 28, 2006

BINGHAM McCUTCHEN LLP

3
4 By: /s/

5 Frank Kennamer
Attorneys for WAMM Plaintiffs

6 Additional Counsel:

7 Daniel Abrahamson (SBN 158668)
8 Drug Policy Alliance
9 Office Of Legal Affairs
10 819 Bancroft Way
11 Berkeley, CA 94710
12 Telephone: 510.229.5212
13 Facsimile: 510.295.2810

DRUG POLICY ALLIANCE

By: /s/

Daniel Abrahamson
Attorneys for WAMM Plaintiffs

11
12 Graham Boyd (SBN 167727)
13 American Civil Liberties Union Foundation
14 1101 Pacific Avenue, Suite 333
15 Santa Cruz, CA 95062
16 Telephone: (831) 471-9000
17 Facsimile: (831) 471-9676

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

By: /s/

Graham Boyd
Attorneys for WAMM Plaintiffs

16 Allen Hopper (SBN 181678)
17 American Civil Liberties Union Foundation
18 1101 Pacific Avenue, Suite 333
19 Santa Cruz, CA 95062
20 Telephone: (831) 471-9000
21 Facsimile: (831) 471-9676

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

By: /s/

Allen Hopper
Attorneys for WAMM Plaintiffs

21 Gerald Uelmen (SBN 39909)
22 Santa Clara University School of Law
23 500 El Camino Real
24 Santa Clara, California 95053
25 Telephone: 408.554.5729
26 Facsimile: 408.554.4426

By: /s/

Gerald Uelmen
Attorneys for County of Santa Cruz and
WAMM Plaintiffs

24 Benjamin Rice (SBN 98551)
25 331 Soquel Avenue, Suite 203
26 Santa Cruz, California 95062
27 Telephone: 831.425.0555
28 Facsimile: 831.459.9815

By: /s/

Benjamin Rice
Attorneys for County of Santa Cruz
and WAMM Plaintiffs

1 John Barisone (SBN 87831)
333 Church Street
2 Santa Cruz, California 95060
Telephone: 831.423.8383
3 Facsimile: 831.423.9401
4

By: /s/
John Barisone
Attorneys for City of Santa Cruz


5 DATED: September 28, 2006
6

UNITED STATES ATTORNEY'S OFFICE

7 By: /s/
Mark T. Quinlivan
8 Attorneys for Defendants
9

10
11
12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 DATED: 10/2, 2006
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Hon. Jeremy Fogel
U.S. District Court Judge